



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Paper No. 6

ROBERT C KOWERT
CONLEY ROSE & TAYON PC
PO BOX 398
AUSTIN, TX 78767-0398

COPY MAILED

JUN 20 2001

**OFFICE OF PETITIONS
A/C PATENTS**

DECISION ON PETITION JUN 25 2001

In re Application of
Whay S. Lee
Application No. 09/624,850
Filed: July 25, 2000.
Attorney Docket No.
5181-55000

This is a decision on the petition filed February 27, 2001, requesting that the above-identified application be accorded a filing date of July 25, 2000. The delay in treating this petition is regretted.

The application was filed on July 25, 2000. However, on September 14, 2000, Initial Patent Examination Division mailed a Notice of Omitted Items in a Nonprovisional Application (hereinafter "Notice"), stating that the application had been accorded a filing date of July 25, 2000, and advising applicants that Figures 2f - 22e described in the specification appeared to be missing.

In response, on October 5, 2000, applicant submitted a Preliminary Amendment and Response to Notice of Omitted Item(s) wherein Petitioner states that the references to Figures 2f - 22e in the specification are typographical errors and that no drawing was omitted. The Preliminary Amendment deletes references to Figures 2f - 22e in the specification.

Petitioner avers that he subsequently received a second Filing Receipt on February 12, 2001, indicating a new filing date of October 5, 2000¹.

Petitioners responds with the instant Petition. The petition argues that no new matter has been added, nor were any omitted

¹There is no record in the PALM database, nor in the file, of this Office having mailed the filing receipt on February 12, 2001. The PALM database, however, at the time this decision was written, reflect this application's filing date as October 5, 2001.

RECEIVED
NOV 30 2001
Technology Center 2600

RECEIVED

OCT 24 2001

OFFICE OF PETITIONS

items submitted, thus the original filing date of July 25, 2000 should be retained.

Based on the statements made in the petition, which is signed by a registered practitioner, it appears that the references in the specification to Figures 2f - 22e are typographical errors and that no drawings containing Figures 2f - 22e were intended to be filed on July 25, 2000.

In view of the above, the petition is granted.

The petition is granted.

No petition fee is required and none has been charged.

The application will be returned to the Initial Patent Examination Division to issue a corrected Filing Receipt with a filing date of July 25, 2000. Thereafter the application will be forwarded to Technology Center 2700 for further processing in due course.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/624,850	10/05/2000 7/25/2000	2783	1092	5181-55000	8	34	3

CONFIRMATION NO. 6556

FILING RECEIPT



OC000000005748049

Robert C Kowert
Conley Rose & Tayon PC
PO Box 398
Austin, TX 78767-0398

Date Mailed: 07/23/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Whay S. Lee, Newark, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 09/13/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

System and method for implementing a routing scheme in a computer network using intention packets when fault conditions are detected

Preliminary Class

712

RECEIVED
NOV 30 2001
Technology Center 2600

RECEIVED

OCT 24 2001

OFFICE OF PETITIONS

JUL 25 2001

Data entry by : DADE, JOAN

Team : 2800

Date: 07/23/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231


UNITED STATES PATENT AND TRADEMARK OFFICE
FILE COPY

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

 #
 8


Bib Data Sheet

CONFIRMATION NO. 6556

SERIAL NUMBER 09/624,850	FILING DATE 07/25/2000 RULE	CLASS 712	GROUP ART UNIT 2664	ATTORNEY DOCKET NO. 5181-55000
APPLICANTS Whay S. Lee, Newark, CA; ** CONTINUING DATA ***** N/A ** FOREIGN APPLICATIONS ***** N/A				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 09/13/2000				
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after met Verified and Acknowledged <u>Examiner's Signature</u> <u>Initials</u>		STATE OR COUNTRY CA	SHEETS DRAWING 8	TOTAL CLAIMS 34
			INDEPENDENT CLAIMS 3	
ADDRESS Robert C Kowert Conley Rose & Tayon PC PO Box 398 Austin ,TX 78767-0398				
TITLE System and method for implementing a routing scheme in a computer network using intention packets when fault conditions are detected				
FILING FEE RECEIVED 1092	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	